

REMARKS/ARGUMENTS

Upon entry of the present amendment, claims 14, 24, and 49-54 will have been canceled without disclaimer or prejudice. Claims 28, 36-42 and 47-48 will have been amended and claims 55-63 will have been submitted for consideration by the Examiner. In view of the above, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action provided.

Turning to the merits of the action, the Examiner has rejected claims 14, 24, 28-29 and 36-54 under 35 U.S.C. § 102(e) as being anticipated by KITADA et al., (US 2006/0190622).

As noted above, Applicants have canceled claims 14, 24, and 49-54 without prejudice or disclaimer. Accordingly the rejection asserted against these claims has been rendered moot.

Applicants have amended claims 28, 36-42 and 47-48 and have submitted claims 55-63 for consideration by the Examiner. Applicants respectfully traverse the above rejection based on the pending claims and will discuss the rejection with respect to the pending claims in the present application, as will be set forth hereinbelow. The claims have been amended merely to clarify the subject matter, but not to narrow the scope of the claims.

Applicants' pending claims relate to a multifunction apparatus which has at least a scanning function and does not having a facsimile transmission function. The multifunction apparatus is connected with a server via a network. The server stores information regarding a menu displayable on the multifunction apparatus. The multifunction apparatus includes a scanner that scans a document and a panel that displays a menu representing functions of the

multifunction apparatus. The multifunction apparatus has a controller that communicates with the server, receives the information regarding the menu from the server, and displays a menu on the panel based on the information regarding the menu received from the server. The controller sends, to the server, based on the information regarding the menu, scanned image data with predetermined information indicating another multifunction apparatus, when a predetermined menu indicating a facsimile transmission function is displayed on the panel of the multifunction apparatus and when a facsimile transmission is selected on the predetermined menu. The information regarding the menu including the predetermined menu indicating the facsimile transmission function. The another multifunction apparatus has a facsimile transmission function and is capable of transmitting the image data to a receiving apparatus by facsimile transmission. Then, the server transmits, to the another multifunction apparatus, the image data scanned by the multifunction apparatus, based on the predetermined information, the server being distinct from the multifunction apparatus and from the another multifunction apparatus.

Claim 55-59 recite related methods.

In direct contrast, KITADA et al., relates to a system in which a multifunction device 20 is connected to a scan server 40. In this system, a user of the multifunction device 20 can access a directory server 60 to search for information stored in the directory server 60 via the scan server 40 (see paragraph [0025]). The directory server 60 stores information such as the names, addresses, e-mail addresses, phone/fax numbers, and other type of destination information (see paragraph [0024]). Thus, the user of the multifunction device 20 can scan a document at the multifunction device 20, and can request a search of the company's global directory stored at the directory server 60. The scan server 40 can pass the search request to the directory server 60, can receive the search results from the directory server 60 and can pass the search results to the

multifunction apparatus 20. The multifunction apparatus 20 can temporarily store and display the search results (see paragraph [0025]).

KITADA et al., also teaches a system in which the scan server 40 receives the scanned document and the selected address/numbers from the MFD 20 and routes the scanned document to the appropriate server. If the user requests the scanned document to be faxed, the scan server 40 routes the scanned document to a fax server 80 (paragraph [0026]). KITADA further teaches the screen 500 used to request faxing. For example, upon touching the “Enter Fax Note” button 510, the user can enter a fax note along with the document to be faxed. Upon touching the “Enter Fax Number” button 520, the user can enter the fax number to which the document is to be faxed. Upon touching the “Lookup Fax Number” button, the user can enter the name of a recipient, and the name of the recipient is passed, via the scan server 40, to the directory server 60 and the fax number corresponding to the name of the recipient is returned to the MFD via the scan server by the directory server 60 (Fig.5 and paragraphs [0047]-[0048]).

However, KITADA et al., fails to disclose at least a multifunction apparatus which sends, to the server, based on the information regarding the menu, scanned image data “with predetermined information indicating another multifunction apparatus having a facsimile transmission function and being capable of transmitting the image data to a receiving apparatus by facsimile transmission”, when a predetermined menu indicating a facsimile transmission function is displayed on the panel of the multifunction apparatus, and when a facsimile transmission is selected on the predetermined menu. The information regarding the menu includes the predetermined menu indicating the facsimile transmission function. In other words, in the claimed invention, a multifunction apparatus has at least a scanning function but does not have a facsimile transmission function. However, the multifunction apparatus not having the

facsimile transmission function can display a predetermined menu indicating a facsimile transmission function on the panel of the multifunction apparatus. When a facsimile transmission is selected on the predetermined menu, the multifunction apparatus sends, to the server, based on the information regarding the menu, scanned image data “with predetermined information indicating another multifunction apparatus which has a facsimile transmission function and is capable of transmitting the image data to a receiving apparatus by facsimile transmission”. Then, the server transmits, to the another multifunction apparatus, the image data scanned by the multifunction apparatus, based on the predetermined information. The server is distinct from the another multifunction apparatus.

Instead, KITADA et al., merely teaches that a document to be faxed is routed to the appropriate server (the fax server 80), and that MFD 50 has screen 500 used to request faxing. In other words, KITADA et al., fails to disclose at least a multifunction apparatus which sends, to the server based on the information regarding the menu, scanned image data “with predetermined information indicating another multifunction apparatus having a facsimile transmission function and being capable of transmitting the image data to a recipient”, as well as the server which transmits, to the another multifunction apparatus, the image data scanned by the multifunction apparatus, based on the predetermined information, the server being distinct from the another multifunction apparatus.

In other words, there is no indication that in KITADA et al., teaches, in the claimed combinations, that scanned image data is sent to the server “with predetermined information indicating another multifunction apparatus having a facsimile transmission function and being capable of transmitting the image data to a receiving apparatus by facsimile transmission”.

Thus, pending claims are clearly distinguished over KITADA et al.

Therefore, it is respectfully submitted that the features recited in Applicants' pending claims are not taught, disclosed nor rendered obvious by KITADA et al., cited by the Examiner. For this reason, Applicant's claims are submitted to be clearly patentable over KITADA et al.

Applicants wish to respectfully thank the Examiner for the courtesy extended to their representative during a telephone interview conducted on December 6, 2007. During the above-noted interview, Applicants' representative discussed the features of the present invention and clarified the manner in which the present invention defines over the prior art of record in the present application. In particular, Applicants' representative explained that the present invention relates to a multifunction apparatus that does not include a facsimile transmission capability (or function) and which scans and transmits the scanned image data of a document to a server together with information identifying another multifunction apparatus which does have a facsimile transmission capability. The another multifunction apparatus is capable of and is controlled transmit the image data to a receiving apparatus by a facsimile transmission. Such transmission performed by means of a menu which is displayable on a panel of the multifunction apparatus (that does not have the facsimile transmission function) in the manner as particularly recited in the claims defining Applicants' invention.

During the above noted interview, Applicants' representative pointed out that the utilization of the menu, as recited in Applicants' claims, to enable the transmission of data from a multifunction apparatus that does not have a facsimile function through the intermediary of another multifunction apparatus that does have a facsimile function to an ultimate receiver of the data is not taught, disclosed, or rendered obvious by any of the references relied upon by the Examiner.

During the above-noted interview, Applicants' representative pointed out, inter alia, that contrary to the Examiner's assertion in the outstanding official action (regarding claim 28), paragraph [0022] of the KITADA et al., does not disclose a multifunction apparatus having at least a scanning function and not having a facsimile transmission function. Rather, the above-noted portion of KITADA et al., appears to teach that each of the scanning devices can e-mail and/or fax a scanned document for the scanning device. More importantly however, there is no provision made in the disclosure of KITADA et al., for providing a menu that enables a multifunction apparatus that does not have a facsimile transmission function to communicate, via facsimile transmission, with a receiving apparatus, which is a significant feature and advantage achieved by Applicants' invention as defined by the combination of features recited in Applicants' claims.

At the conclusion of the above noted interview, the Examiner indicated that she now understood more clearly the distinctions between Applicants' claimed invention and the prior art and will perform a further search upon receipt of the response to the outstanding Official Action.

The Examiner is again thanked for her cooperation in scheduling and conducting the above noted interview as well as for her open-minded approach and the receptivity that she exhibited to the distinctions made by Applicants' representative during the above noted interview. The Examiner is additionally thanked for agreeing to inform the undersigned representative in the event that any documents, more relevant than those of record in the present application at the present time, are found during her above-noted update search.

Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections, and an indication of the allowability of all the claims pending in the present application, in due course.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have canceled several rejected claims without prejudice or disclaimer, have amended several others of the rejected claims to enhance the clarity of the language thereof and have submitted several new claims for consideration by the Examiner.

With respect to the pending claims, Applicants have pointed out the features thereof and have contrasted the features of the pending claims with the disclosure of the applied reference. Applicants have additionally pointed out the shortcoming of the cited reference with respect to the recitations of the pending claims.

Applicants have additionally made of record a telephone interview conducted in the present application on December 6, 2007, and have thanked the Examiner for her cooperation with respect to the above noted interview.

Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all claims in the present application and respectfully request an indication of the allowability of all the claims pending in the present application, in due course.

The amendments to the claims which have been made in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

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Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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